GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PSs - School Education - Sri Matta Jagga Rao, Executive Engineer, O/o APEWIDC, Vijayawada, previously worked as Executive Engineer, APEWIDC, Srikakulam - Departmental proceedings under Rule 20 of the APCS (CCA) Rules, 1991 - Article of charges - Issued.

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SCHOOL EDUCATION [Vig] DEPARTMENT

G.O. Rt. No.206 Dated:21.11.2022

ORDER:-

It is proposed to hold an enquiry against Sri Matta Jagga Rao, Executive Engineer, O/o APEWIDC, Vijayawada, previously worked as Executive Engineer, APEWIDC, Srikakulam, in accordance with the procedure laid down in Rule 20 of the APCS (CCA) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of imputations of misconduct or misbehavior in support of each articles of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the article of charge are proposed to be sustained are also enclosed (Annexure- III & IV).

3. Sri Matta Jagga Rao, Executive Engineer, O/o APEWIDC, Vijayawada, previously worked as Executive Engineer, APEWIDC, Srikakulam, is directed to submit a written statement of his defence within 10 days of the receipt of this order.

4. Sri Matta Jagga Rao, Executive Engineer, O/o APEWIDC, Vijayawada, previously worked as Executive Engineer, APEWIDC, Srikakulam, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Matta Jagga Rao, Executive Engineer, O/o APEWIDC, Vijayawada, previously worked as Executive Engineer, APEWIDC, Srikakulam, is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri Matta Jagga Rao, Executive Engineer, O/o APEWIDC, Vijayawada, previously worked as Executive Engineer, APEWIDC, Srikakulam, is invited to Rule 24 of the A.P.C.S (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri Matta Jagga Rao is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the APCS (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

Sri Matta Jagga Rao, Executive Engineer, O/o APEWIDC, Vijayawada,
previously worked as Executive Engineer, APEWIDC, Srikakulam, through
the Managing Director, APEWIDC, Guntur.
The Managing Director, APEWIDC, Guntur.
Copy to:
The D.G, ACB, Vijayawada.

// FORWARDED:: BY ORDER //

SECTION OFFICER

ANNEXURE-1

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI MATTA JAGGA RAO, EXECUTIVE ENGINEER, O/o APEWIDC, VIJAYAWADA, PREVIOUSLY WORKED AS EXECUTIVE ENGINEER, APEWIDC, SRIKAKULAM IN CR.NO.10/RCO-ACB/SKL/2017 OF ACB, SRIKAKULAM RANGE.

Sri Matta Jagga Rao, S/o late Yerakayya, age 58 years, previously worked as Executive Engineer, Andhra Pradesh Education Welfare & Infrastructure Development Corporation, Srikakulam (here-in-after referred as Government Servant) joined in the Government Service on 21.03.1997 as Asst. Engineer, District S.C.S.T. Society Ltd, Srikakulam and on consequent promotions, he rose to the rank of Exe. Engineer and worked as such in APEW&IDC, Srikakulam from 30.6.2012 to 21.09.2017. While working as such, he committed grave misconduct in as much as:

Charge:

That the Government Servant in abuse of his official position demanded and accepted the bribe amount of Rs.50,000/- from Sri Muddada Srinivasa Rao as illegal gratification other than legal remuneration as a motive for showing the official favour i.e. for processing the payment of 6th part of bill of Rs.48,00,000/- pertaining to the construction of Govt. Polytechnic building at Amadalavalasa and for not harassing him in execution of the remaining work and it is also established that Sri Matta Jagga Rao habitually collected bribes from Sri Muddada Srinivasa Rao.

Thus, the Government Servant Sri Matta Jagga Rao, S/o late Yerakayya, Executive Engineer, Andhra Pradesh Education Welfare & Infrastructure Development Corporation, Srikakulam District by his above mentioned acts exhibited lack of devotion to duty, failed to maintain integrity, behaved in a manner unbecoming of Government Servant and brought down the prestige of the Government and thereby violated the Rule 3(1) & 3(2) of A.P Civil Services (Conduct) Rules, 1964.

B.RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT, MISBEHAVIOUR & GROSS DERELICTION OF DUTY IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI MATTA JAGGA RAO, EXECUTIVE ENGINEER, O/o APEWIDC, VIJAYAWADA, PREVIOUSLY WORKED AS EXECUTIVE ENGINEER, APEW&IDC SRIKAKULAM IN CR. NO.10/RCO-ACB/SKL/2017 OF ACB SRIKAKULAM RANGE.

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Sri Matta Jagga Rao, S/o late Yerakayya, age 58 years, previously worked as Executive Engineer, Andhra Pradesh Education Welfare & Infrastructure Development Corporation, Srikakulam joined in the Government Service on 21.03.1997 as Asst. Engineer, District S.C.S.T. Society Ltd, Srikakulam and on consequent promotions, he rose to the rank of Exe.Engineer and worked as such in APEW&IDC, Srikakulam from 30.6.2012 to 21.09.2017. He born on 10.06.1963 and his date of retirement is on 30.06.2023. His basic pay is Rs.39,540/-. He is here-in-after called as Government Servant.

CHARGE:

That the Government Servant in abuse of his official position demanded and accepted the bribe amount of Rs.50,000/- from Sri Muddada Srinivasa Rao as illegal gratification other than legal remuneration as a motive for showing the official favour i.e. for processing the payment of 6th part of bill of Rs.48,00,000/- pertaining to the construction of Govt. Polytechnic building at Amadalavalasa and for not harassing him in execution of the remaining work and it is also established that Sri Matta Jagga Rao habitually collected bribes from Sri Muddada Srinivasa Rao.

FACTS AND EVIDENCE:

On receipt of credible information that Sri M.Jagga Rao, Executive Engineer, Andhra Pradesh Education Welfare & Information Development Corporation (APEWIDC) Srikakulam, was collecting bribe from a contractor Sri M.Srinivasa Rao as a reward for not harassing him during the execution of work and to process the payment of the 6th part of the bill relating to the construction work of Govt. Polytechnic College at Amadalavalasa, Srikakulam District, a surprise check was conducted on the chamber of Sri Matta Jagga Rao, Executive Engineer on 15.10.2016 from 13.00 hrs to 17.20 hrs.

During the course of surprise check, the DSP, ACB asked the Government Servant whether he had taken any bribe from Sri Muddada Srinivasa Rao, Contractor or any other person. Then the Government Servant admitted before the mediators that prior to the arrival of the ACB Officials, one Sri Muddada Srinivasa Rao, Contractor, came to him on and gave him cash of Rs.50,000/- for the processing the payment of 6th part bill of Rs.48,00,000/- relating to the construction of Govt. Polytechnic building at Amadalavalasa, Srikakulam District. So saying the Government Servant took out a wad of currency notes wrapped in axis bank plastic band from the right side front pant pocket of his trousers and produced the same before the DSP, ACB. Then the DSP, ACB seized the amount for the purpose of the enquiry.

During the course of surprise check, the DSP, ACB, Srikakulam examined Sri M.Srinivasa Rao, Contractor. During examination Sri M.Srinivasa Rao stated that the cash of Rs. 50,000/- found in possession of Sri Matta Jagga Rao, was given by him prior to the arrival of the ACB officials as the bribe for not harassing him during the execution of the construction of work of Govt.

Polytechnic College at Amadalavalasa, Srikakulam District, and for processing the payment of 6th part bill relating to the construction of the above said work.

During the course of surprise check, the DSP, ACB asked the Government Servant about the file relating to the construction of the building for Govt. Polytechnic College at Amadalavalasa, Srikakulam District. Then the Government Servant called Sri M V Ramana Murthy, I/c Sr. Asst., to his chamber and instructed him to bring the file of construction of Govt. Polytechnic College at Amadalavalasa, Srkakulam being executed by Sri M.Srinivasa Rao, Contractor. Accordingly, he brought two files containing 28 and 36 sheets respectively and produced the same before the DSP. The DSP seized the said files for the purpose of further enquiry duly attested by the mediators.

During the course of surprise check, the DSP, ACB secured the presence of (1) Sri Vulluru Kiran Kumar, Outsourcing Site Engineer, O/o the Exe. Engineer, APEWIDC, Srikakulam, R/o Vadama Road, Palakonda, (2) Sri Sadasivuni Pradeep Kumar, Dy. Exe. Engineer, APEWIDC, Srikakulam, R/o H.No. 7-13-4, New Colony, Srikakulam, (3) Sri Maddula Venkata Ramana Murthy, Typist, Incharge Sr. Asst (Accounts Branch), O/o the Exe. Engineer, APEWIDC, Srikakulam, R/o MIG-232, APHB Colony, Opp. Zilla Parishad, Srikakulam, who are dealing with the work of construction of Govt. Polytechnic at Amadalavalasa, Srikakulam and examined them and got recorded the statements duly attested by the mediators and the DSP, ACB.

During the course of surprise check, the DSP also secured the presence of the following persons available in the office of the Exe. Engineer, APEWIDC, Srikakulam and examined them and recorded their statements.

1. Sri Peyyala Ramarao, S/o late Suri, age 54 years, Attender, O/o APEWIDC, Srikakulam, R/o Srilakshmi Nagar, near Ammavari Temple, Arasavilli, Srikakualm.
2. Sri Singuru Ganapathi, S/o late Neelayya, age 55 years, Technical Work Inspector, O/o APEWIDC, Srikakulam, R/o Kotta Road Junction, Masabpeta, Srikakulam.
3. Sri Reyyi Rajendra Reddy, S/o Kanakaraju Reddy, age 34 years, Outsourcing Site Engineer, O/o APEWIDC, Srikakulam, R/o Patha Agaraharam, Tekkali Mandal, Srikakulam District.
4. Sri Guttu Kanna Babu, S/o Sivalingam, age 4O years, Outsourcing Data Processing Officer, O/o APEWIDC, Srikakulam, R/o Door No. 14-4-51, Badurlapeta, near the Collector Office, Srikakulam.
5. Sri Behara Ravi Kumar, S/o late Ganapathi Rao, age 39 years, Outsourcing Data Entry Operator, O/o APEWIDC, Srikakulam, R/o MIG-211, APHB Colony, behind Zilla Parishad, Srikakulam.
6. Sri Kinthali Krishna, S/o late Kamayya 52 years, Work Inspector, O/o APEWIDC, Srikakulam, R/o Chinna bondilipuram, near RTC Complex, Srikakulam.
7. Sri Goru Narasinga Rao, S/o late Pentayya, age 53 years, Technical work Asst., Incharge Assistant Engineer O/o APEWIDC, Srikakulam, R/o Devangula Street, Fazulbagpeta, Srikakulam.
8. Sri Arinana Prasada Rao, S/o late Jogulu, age 58 years, Attender, O/o APEWIDC, Srikakulam. R/o Hudco colony, near RIMS Hospital, Srikakulam.

Basing on the detailed enquiry report of Sri P.Srinivasa Rao, Inspector, ACB, Srikakulam Range, the Director General, Anti-Corruption Bureau, Vijayawada accorded permission vide Memo RC.No.112/DES-VSK/2016 dated 15.09.2017 authorized to register a case against Sri M.Jagga Rao, Executive Engineer, Andhra Pradesh Education Welfare & Infrastructure Development Corporation, Srikakulam and to investigate.

Accordingly, Sri D.Ramesh, Inspector, ACB, Srikakulam Range prepared an occurrence report and registered the same as a case in Cr.No.10/ RCO-ACB/SKL/2017 u/S 7, 13(1)(a) and 13(1)(d) r/w 13(2) of P.C. Act, 1988 of ACB, Srikakulam Range on 21.09.2017 at 0600 hrs and submitted the original FIR to the Hon'ble court of III ADSJ cum Spl. Court for ACB Cases, Visakhapatnam along with the original occurrence report and original memo No.112/DES-VSK/2016 dated 15.09.2017 of the Director General, ACB, AP, Vijayawada and investigated into. During the course of investigation, bank account statement of the Government Servant and Sri M.Srinivasa Rao was obtained from the Chief Manager, Union Bank of India, MVP Colony, Visakhapatnam and from the Senior Branch Manager, Andhra Bank, Narasannapeta respectively with regard to the version given by the Government servant and Sri M.Srinivasa Rao at the time of surprise check proceedings with regard to the cash of Rs.50,000/-. During the course of investigation, on 21.10.2017, got recorded the statement of Sri M.Srinivasa Rao U/s 164 Cr.P.C before the Hon'ble JMFC, Srikakulam and he corroborated the contents of Surprise Check Proceedings in 10/SC-ACB/SKL/2016 dated 15.10.2016 and FIR, Occurrence report in Cr. No.10/RCO-ACB/SKL/2017 of ACB, Srikakulam Range dated 21.09.2017.

Thus, the Government Servant Sri Matta Jagga Rao, S/o late Yerakayya, Executive Engineer, Andhra Pradesh Education Welfare & Infrastructure Development Corporation, Srikakulam District by his above mentioned acts exhibited lack of devotion to duty, failed to maintain integrity, behaved in a manner unbecoming of Government Servant and brought down the prestige of the Government and thereby violated the Rule 3(1) & 3(2) of A.P. Civil Services (Conduct) Rules, 1964.

Thus, the Government Servant Sri Matta Jagga Rao, S/o late Yerakayya, Executive Engineer, APEWIDC, Srikakulam District, has rendered himself for regular departmental enquiry for major penalty under Rule 20 of APCS (CCA) Rules, 1991.

B.RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS:

1. Surprise check proceedings vide No. 10/SC-ACB/SKL/2016 dated 15.10.2016 conducted at the office chamber of Sri M.Jagga Rao, Executive Engineer, Andhra Pradesh Education Welfare & Infrastructure Development Corporation, Srikakulam
2. Copy of FIR & Occurrence report in Cr. No.10/RCO-ACB/SKL/2017 U/s 7, 13(1)(a) and 13(1)(d) r/w 13(2) of P.C. Act, 1988 of ACB, Srikakulam Range on 21.09.2017 at 0600 hours
3. Two files which were seized from the office of the Accused Officer containing 28 & 36 sheets during the course of surprise check on 15.10.2016
4. Letter Ref.No.MVP:PVR:117/17, dated:04.10.2017 of the Chief Manager, Union Bank of India, MVP Colony, Visakhapatnam along with the bank account statement of the AO.
5. Letter No.0380 dated 29.09.2017 of the Senior Branch Manager, Andhra Bank, Narasannapeta along with the bank account statement of Sri Muddada Srinivasa Rao
6. M-Books and other records relating to the construction work of Govt. Polytechnic Amadalavalasa executed by Sri Muddada Srinivasa Rao
7. Copy of 164 Cr. P.C statement dtd 21.10.2017 of Sri Muddada Srinivasa Rao. S/o Bhaskara Rao age 49 years, Civil Contractor (Class-I), Sairigam village, Jalumuru Mandal, Srikakulam District.
8. Signed statement of Sri Muddada Srinivasa Rao, S/o Bhaskara Rao. Age 49 years Civil Contractor (Class-I), Sairigam village, Jalumuru mandal, Srikakulam District.
9. Signed statement of Sri Vulluru Kiran Kumar, S/o Mohana Rao, age 27 years, outsourcing Site Engineer, O/o the Exe.Engineer, APEWIDC, Srikakulam, R/o Vadama Road, Palakonda.
10. Signed statement of Sri Sadasivuni Pradeep Kumar, S/o Venkata Rao, age 51 years. Dy. Exe. Engineer, APEWIDC, Srikakulam. R/o H. No. 7-13-4, New Colony, Srikakulam
11. Signed statement of Sri Maddula Venkata Ramana Murthy, Typist. Incharge Sr. Asst(Accounts Branch), O/o the Exe. Engineer. APEWIDC, Srikakulam R/o MIG-232, APHB Colony, Opp. Zilla parishad, Srikakulam.
12. Any other document needed for the purpose of enquiry will be produced later.

B.RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES:

1. Sri Muddada Srinivasa Rao, S/o Bhaskara Rao, age 49 years, Civil Contractor (Class-I), Sairigam village, Jalumuru Mandal, Srikakulam District.
2. Sri Patnana Raja Rao, S/o Appanna, age 47 years, Grade-II Head Master, ZP High School, Laveru Mandal, Srikakulam District. R/o Near Mangaveni Convent, Indira Official Colony, Ponduru.
3. Sri Dunga Muralidhara Rao, S/o Ramaswamy, age 47 years, Secondary Grade Teacher, M.P.P. School, Vomaravalli, Gara Mandal, Srikakulam District. R/o Prasanthi nagar Colony, near Geethanjali School, Srikakulam.
4. Sri Vulluru Kiran Kumar, S/o Mohana Rao, age 27 years, outsourcing Site Engineer, O/o the Exe. Engineer, APEWIDC, Srikakulam, R/o Vadama Road, Palakonda
5. Sri Sadasivuni Pradeep Kumar, S/o Venkata Rao, age 51 years, Dy. Exe. Engineer, APEWIDC, Srikakulam. R/o H. No. 7-13-4, New Colony, Srikakulam.
6. Sri Maddula Venkata Ramana Murthy, Typist, Incharge Sr. Asst (Accounts Branch), O/o the Exe. Engineer, APEWIDC, Srikakulam, R/o MIG-232, APHB Colony, Opp. Zilla Parishad, Srikakulam,
7. Sri Peyyala Ramarao, S/o late Suri, age 54 years, Attender, O/o APEWIDC, Srikakulam. R/o Srilakshmi Nagar, near Ammavari temple, Arasavilli, Srikakualm
8. Sri Singuru Ganapathi, S/o late Neelayya, age 55 years, Technical Work Inspector, O/o APEWIDC, Srikakulam. R/o Kotta Road junction, Masabpeta, Srikakulam
9. Sri Reyyi Rajendra Reddy, S/o Kanakaraju Reddy, age 34 years, Outsourcing Site Engineer, O/o APEWIDC, Srikakulam. R/o Patha Agaraharam, Tekkali Mandal, Srikakulam District.
10. Sri Guttu Kanna babu, S/o Sivalingam, age 40 years, outsourcing Data processing Officer, O/o APEWIDC, Srikakulam. R/o Door No. 14-4-51. Badurlapeta, near the Collector's Office, Srikakulam
11. Sri Behara Ravi Kumar, S/o late Ganapathi Rao, age 39 years, Outsourcing Data Entry Operator, O/o APEWIDC, Srikakulam. R/o MIG-211, APHB Colony, behind Zilla Parishad, Srikakulam.
12. Sri Kinthali Krishna, S/o late Kamayya, age 52 years, Work Inspector, O/o APEWIDC, Srikakulam. R/o Chinna bondilipuram, near RTC Complex, Srikakulam.
13. Sri Goru Narasinga Rao, S/o late Pentayya, age 53 years, Technical Work Assistant., Incharge Assistant Engineer, O/o APEWIDC, Srikakulam. Fazulbagpeta, Srikakulam.
14. Sri Arinana Prasada Rao, S/o late Jogulu, age 58 years, Attender, O/o APEWIDC, R/o Hudco Colony, near RIMS Hospital, Srikakulam.
15. Sri K. Bhaskara Rao, Executive Engineer, APE & WIDC, Srikakulam District
16. The Chief Manager, Union Bank of India, MVP Colony, Visakapatnam.
17. The Senior Branch Manager, Andhra Bank, Narasannapeta.
18. Sri Ranga Raju, Asst. Commissioner of Police, Harbour Zone, Visakapatnam City. (Previously worked as DSP, ACB, Srikakulam Range)
19. Sri P.Srinivasa Rao, Inspector of Police, ACB, Srikakulam Range.
20. Sri D.Ramesh, Inspector of Police, ACB, Srikakaulam Range.

B.RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER